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ORIGINAL

ARIZONA CORPORATION COMMISSION  
UTILITIES DIVISION  
1200 W. WASHINGTON STREET  
PHOENIX, AZ 85007

Letter of Non-Compliance

October 31, 2001

Ms. Lisa Taylor  
Local Gateway Exchange, Inc.  
700 North Pearl Street, Suite 200  
Dallas, Texas 75201-7404

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AZ CORP COMMISSION  
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

OCT 31 2001

RE: DOCKET NO. T-03883A-00-0366      DECISION NO. 63492

DOCKETED BY

*rec*

Dear Ms. Taylor:

This notice will inform you that Local Gateway Exchange, Inc. has not met certain compliance requirements ordered by the Commission in the above-referenced Decision. In that Decision, the Commission conditioned approval of the application on Local Gateway Exchange, Inc. filing certain documents with the Commission within a specific time period as described on the attached Compliance Delinquencies Report.

As a result of this non-compliance, the Certificate of Convenience and Necessity did not issue to Local Gateway Exchange, Inc. and is void. If Local Gateway Exchange, Inc. intends to provide service in the future within Arizona, it must either file a new application for a certificate of convenience and necessity or obtain an extension of time to comply from the Commission. If you are requesting an extension of time to comply, your request must be received by the Commission no later than thirty (30) days from the date of this notice. Your request should set forth the reasons why you did not comply with the Commission's Decision and why you should be granted an extension. The Commission will consider your request and issue an Order either granting or denying your request for extension. Address your request for an extension of time to comply to: Docket Control, Arizona Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007. Reference in your request the Docket Number and Decision Number for this matter.

If you believe this to be in error, or, if I can answer any questions, please contact me at 602-542-0818.

Sincerely,

Patrick C. Williams  
Manager, Compliance and Enforcement  
Utilities Division

cc: Docket Control, with eleven copies

# **Compliance Delinquencies Report**

Report Date: October 31, 2001

**COMPANY:** Local Gateway Exchange, Inc.

**DOCKET NO.** T-03883A-00-0366

**DECISION NO.** 63492

**DECISION DATE:** 03/30/2001

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**COMPLIANCE ACTION:** Certificate is conditioned on Company filing proof of a performance bond for \$100,000 within 90 days of the effective date of the Commission's Decision or 30 days prior to the provision of service, whichever comes first.  
9-7-01 Procedural Order granted an extension of time to October 30, 2001.

**COMPLIANCE DUE DATE:** 10/30/2001

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